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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
45 No. C-08-2496 CW, Fahy v. George
67 **AMENDED ORDER SETTING CASE MANAGEMENT CONFERENCE**
89 The above matter having been assigned to Judge Wilken,
10 IT IS HEREBY ORDERED, pursuant to Rule 16, Federal Rules of
11 Civil Procedure, and Civil Local Rule 16, that a case management
12 conference will be held before Judge Wilken on Tuesday, October 21,
13 2008, at 2:00 p.m., in Courtroom 2, 4th Floor, 1301 Clay Street,
14 Oakland, California.15 Lead trial counsel shall meet and confer not less than thirty
16 (30) days in advance of the conference and shall file a joint case
17 management statement in the form contained in the Civil Local Rules
18 (copy attached) not less than seven (7) days in advance of the
19 conference.20 If the conference is inconveniently scheduled, it may be
21 rescheduled by stipulation and order to another date or time
22 convenient to the Court's calendar.23 At the conclusion of the conference, an order will be entered
24 setting dates either for a further case management conference, or
25 for close of discovery, pretrial conference, and trial. Other
26 orders regulating and controlling future proceedings may be
27 entered.28 Plaintiff(s) shall serve copies of this Order at once on all
parties to this action, and on any parties subsequently joined, in

1 accordance with Fed. R. Civ. P. 4 and 5. Following service,
2 Plaintiff(s) shall file a certificate of service with the Clerk of
3 this Court.

4 FAILURE TO COMPLY WITH THIS ORDER may be deemed sufficient
5 grounds for dismissal of this cause, default or other appropriate
6 sanctions. See Fed. R. Civ. P. 16(f).

7 See attached for standard procedures.

8 IT IS SO ORDERED.

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11 CLAUDIA WILKEN
12 UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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NOTICE

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3 **Case Management Conferences and Pretrial Conferences** are
4 conducted on **Tuesdays** at 2:00 p.m. **Criminal Law and Motion**
5 calendar is conducted on **Wednesdays** at 2:00 p.m. for defendants in
6 custody and 2:30 p.m. for defendants not in custody. **Civil Law and**
7 **Motion** calendar is conducted on **Thursdays** at 2:00 p.m. Order of
call is determined by the Court. Counsel need not reserve a
hearing date for civil motions; however, counsel are advised to
check the legal newspapers or the Court's website at
www.cand.uscourts.gov for unavailable dates.

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Motions for Summary Judgment: All issues shall be contained
within one motion of 25 pages or less, made on 35 days notice.
(See Civil L.R. 7-2). Separate statements of undisputed facts in
support of or in opposition to motions for summary judgment will
not be considered by the Court. (See Civil Local Rule 56-2(a)).
The motion and opposition should include a statement of facts
supported by citations to the declarations filed with respect to
the motion. Evidentiary and procedural objections shall be
contained within the motion, opposition or reply; separate motions
to strike will not be considered by the Court. Any cross-motion
shall be contained within the opposition to any motion for summary
judgment, shall contain 25 pages or less, and shall be filed 21
days before the hearing. The reply to a motion may contain up to
15 pages, shall include the opposition to any cross-motion, and
shall be filed 14 days before the hearing. (See Civil Local Rule
7-3). The Court may, *sua sponte* or pursuant to a motion under
Civil L.R. 6-3, reschedule the hearing so as to give a moving party
time to file a reply to any cross-motion.

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All discovery motions are referred to a Magistrate Judge to be
heard and considered at the convenience of his/her calendar. All
such matters shall be noticed by the moving party for hearing on
the assigned Magistrate Judge's regular law and motion calendar, or
pursuant to that Judge's procedures.

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Pursuant to General Order 45,§ VI.G, "In all cases subject to
ECF, in addition to filing papers electronically, the parties are
required to lodge for chambers **no later than noon on the business**
day following the day that the papers are filed electronically, one
paper copy of each document that is filed electronically."

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(rev. 10/10/07)

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STANDING ORDER FOR ALL JUDGES OF THE NORTHERN DISTRICT OF CALIFORNIA**CONTENTS OF JOINT CASE MANAGEMENT STATEMENT**

Commencing March 1, 2007, all judges of the Northern District of California require the identical information in Joint Case Management Statements filed pursuant to Civil Local Rule 16-9. The parties must include the following information in their statement which, except in unusually complex cases, should not exceed ten pages:

1. **Jurisdiction and Service:** The basis for the court's subject matter jurisdiction over plaintiff's claims and defendant's counterclaims, whether any issues exist regarding personal jurisdiction or venue, whether any parties remain to be served, and, if any parties remain to be served, a proposed deadline for service.
2. **Facts:** A brief chronology of the facts and a statement of the principal factual issues in dispute.
3. **Legal Issues:** A brief statement, without extended legal argument, of the disputed points of law, including reference to specific statutes and decisions.
4. **Motions:** All prior and pending motions, their current status, and any anticipated motions.
5. **Amendment of Pleadings:** The extent to which parties, claims, or defenses are expected to be added or dismissed and a proposed deadline for amending the pleadings.
6. **Evidence Preservation:** Steps taken to preserve evidence relevant to the issues reasonably evident in this action, including interdiction of any document-destruction program and any ongoing erasures of e-mails, voice mails, and other electronically-recorded material.
7. **Disclosures:** Whether there has been full and timely compliance with the initial disclosure requirements of Fed. R. Civ. P. 26 and a description of the disclosures made.
8. **Discovery:** Discovery taken to date, if any, the scope of anticipated discovery, any proposed limitations or modifications of the discovery rules, and a proposed discovery plan pursuant to Fed. R. Civ. P. 26(f).
9. **Class Actions:** If a class action, a proposal for how and when the class will be certified.
10. **Related Cases:** Any related cases or proceedings pending before another judge of this court, or before another court or administrative body.
11. **Relief:** All relief sought through complaint or counterclaim, including the amount of any damages sought and a description of the bases on which damages are calculated. In addition, any party from whom damages are sought must describe the bases on which it contends damages should be calculated if liability is established.
12. **Settlement and ADR:** Prospects for settlement, ADR efforts to date, and a specific ADR plan for the case, including compliance with ADR L.R. 3-5 and a description of key discovery or motions necessary to position the parties to negotiate a resolution.
13. **Consent to Magistrate Judge For All Purposes:** Whether all parties will consent to have a magistrate judge conduct all further proceedings including trial and entry of judgment.

- 1 14. Other References: Whether the case is suitable for reference to binding arbitration, a special
2 master, or the Judicial Panel on Multidistrict Litigation.
- 2 15. Narrowing of Issues: Issues that can be narrowed by agreement or by motion, suggestions to
3 expedite the presentation of evidence at trial (e.g., through summaries or stipulated facts), and any
4 request to bifurcate issues, claims, or defenses.
- 4 16. Expedited Schedule: Whether this is the type of case that can be handled on an expedited
5 basis with streamlined procedures.
- 6 17. Scheduling: Proposed dates for designation of experts, discovery cutoff, hearing of
7 dispositive motions, pretrial conference and trial.
- 7 18. Trial: Whether the case will be tried to a jury or to the court and the expected length of the
8 trial.
- 9 19. Disclosure of Non-party Interested Entities or Persons: Whether each party has filed the
10 "Certification of Interested Entities or Persons" required by Civil Local Rule 3-16. **In addition**,
11 each party must restate in the case management statement the contents of its certification by
12 identifying any persons, firms, partnerships, corporations (including parent corporations) or other
entities known by the party to have either: (i) a financial interest in the subject matter in controversy
or in a party to the proceeding; or (ii) any other kind of interest that could be substantially affected
by the outcome of the proceeding.
- 13 20. Such other matters as may facilitate the just, speedy and inexpensive disposition of this
matter.